

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
October 29, 2015

Closed Session: yes

Call to Order: Meeting was called to order at: 9:03 a.m.

Council Present: Secretary Aaron Otto, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor David Harrington, Councilor Beatrice A. Law, Councilor Dexter McNamara, Councilor, Michael Naganashe, Secretary Julia Shananaquet

Absent: none

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount, Sr. Financial Analyst Stella Kay, General Counsel Bransky

Executive Officials and Staff Present: Tribal Chair Regina Gasco Bentley, Tribal Administrator Albert Colby, Jr., Chief Financial Officer Carrie Carlson

Judicial Officials and Staff: none

Public: Traditional Tribal Burial Board: Wesley Andrews, Kevin Willis

Invited Guests: none

Motion made by Secretary Shananaquet and supported by Councilor Naganashe to adopt the amended agenda for October 29, 2015.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve General Session I minutes of October 8, 2015 with corrections.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Harrington to approve the General Session II minutes of October 8, 2015 with corrections.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

1 Motion made by and supported by to approve the Special Meeting minutes of
2 October 26, 2015 with corrections.

3 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

4 Motion carried.

5
6 Motion made by Councilor Law and supported by Councilor McNamara to
7 acknowledge receipt of the Executive oversight verbal and written report for
8 October 29, 2015.

9 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

10 Motion carried.

11
12 Motion made by Councilor Law and supported by Councilor Shananaquet to
13 accept the receipt of the Traditional Tribal Burial Board's 3rd Quarter for verbal
14 and written report as presented by Chairperson Wesley and board member Kevin
15 Willis, and the Tribal Historic Preservation Officer verbal and written report as
16 presented by Wesley Andrews for verbal and written report for October 29, 2015.

17 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

18 Motion carried.

19
20 Kevin Willis spoke regarding the Odawa Fishery, fish supply and the Tribal
21 Fisherman's livelihood. Kevin asked Tribal Council to approach Natural Resource
22 Department Director Craven if they have any questions regarding this issue.

23
24 Motion made by Councilor Law and supported by Councilor Harrington to accept
25 Secretary Otto verbal report as provided on the agenda for October 29, 2015.

26 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

27 Motion carried.

28
29 **11:54 a.m. Public comment opened: no comments.**

30 **11:54 a.m. Public comment closed.**

31
32 Motion made by Councilor McNamara and supported by Treasurer Reyes to
33 accept Councilor Shananaquet's verbal and written travel reports for October 29,
34 2015 regarding United Tribes of Michigan, Michigan Indian Legal
35 Services and National Congress of American Indians.

36 Vote: - Yes, - No, - Abstained, – Absent

37 Motion carried.

38
39 **12:06 p.m. Lunch recess**

40 **1:28 p.m. Resume. Councilor Naganashe absent.**

41
42 Motion made by Councilor Shananaquet and supported by Councilor McNamara
43 to accept Councilor Law's verbal and written travel reports for October 29, 2015
44 regarding United Tribes of Michigan Indian Legal Services and National
45 Congress of American Indians and overview of travel to Squaxin Island, WA for
46 Violence Against Women Act.

1 Vote: 7- Yes, 0- No, 0- Abstained, 1– Absent (Councilor Naganashe)
2 Motion carried.

3
4 **2:05 p.m.** Motion made by Councilor McNamara and supported by Councilor
5 Law to go into closed session for confidential business matters.

6 Vote: 7- Yes, 0- No, 0- Abstained, 1– Absent (Councilor Naganashe)
7 Motion carried.

8
9 **2:10 p.m.** Councilor Harrington left the meeting.

10
11 **2:24 p.m.** Motion made by Councilor Law and supported by Treasurer Reyes to
12 return to open session.

13 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
14 Harrington)

15 Motion carried.

16
17 Motion made by Councilor Law and supported by Treasurer Reyes to accept Sr.
18 Financial Analyst Stella Kay's verbal and written report for October 29, 2015.

19 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
20 Harrington)

21 Motion carried.

22
23 **3:01 p.m.** Public Comment opened: Merle Carson spoke regarding the Burt Lake
24 Band and their seeking federal recognition with regard to the Mackinaw project.

25 **3:15 p.m.** Public comment closed.

26
27 **3:18 p.m.** Motion made by Councilor Law and supported by Councilor
28 Shananaquet to go into closed session for legal purposes.

29 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
30 Harrington)

31 Motion carried.

32
33 **3:35 p.m.** Motion made by Treasurer Reyes and supported by Councilor
34 Shananaquet to return to open session.

35 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
36 Harrington)

37 Motion carried.

38
39 Motion made by Councilor Law and supported by Treasurer Reyes to accept
40 Legislative Services Attorney Budnick's verbal and written report for October 29,
41 2015.

42 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
43 Harrington)

44 Motion carried.

1 **4:23 p.m.** Motion made by Councilor Shananaquet and supported by Councilor
2 Law to go into closed session for confidential business matters.

3 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
4 Harrington)

5 Motion carried.

6
7 **4:49 p.m.** Motion made by Councilor Law and supported by Treasurer Reyes to
8 return to open session.

9 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
10 Harrington)

11 Motion carried.

12
13 Motion made by Councilor Shananaquet and supported by Treasurer Reyes to
14 accept General Counsel Bransky's verbal and written report for October 29,
15 2015.

16 Vote: 5- Yes, 0- No, 0- Abstained, 3– Absent (Councilor Naganashe, Councilor
17 Harrington, Councilor McNamara)

18 Motion carried.

19
20 Motion made by Councilor Law and supported by Councilor Shananaquet to
21 amend the agenda to include General Counsel Bransky's Confidential Memo
22 102915-01 and the Extension and Continuation of Payment In Lieu of Taxes
23 Agreement.

24 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
25 Harrington)

26 Motion carried.

27
28 Motion made by Councilor Law and supported by Councilor Shananaquet to
29 accept the Legislative Office Manager Portman-LaCount's verbal and written
30 report for Oct 29, 2015.

31 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
32 Harrington)

33 Motion carried.

34
35 Motion to made by Treasurer Reyes and supported by Councilor Law to
36 acknowledge receipt of the Ziibimijwang Inc., and Odawa Economic
37 Development Management, Inc. 2015 3rd Quarter Reports.

38 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
39 Harrington)

40 Motion carried.

41
42 Motion made by Councilor Law and supported by Councilor Shananaquet to
43 approve the Letter to Assistant Secretary of Indian Affairs regarding the
44 Allocation of Fiscal Year 2016 authorized under the Federal Continued
45 Resolution and authorize Treasurer Reyes to sign it.

1 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
2 Harrington)
3 Motion carried.

4
5 Motion made by Councilor Law and supported by Treasurer Reyes to approve
6 Certified Motion 102915-01 Boundary - Application for Federal Litigation Support
7 Funding.

8 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
9 Harrington)
10 Motion carried.

11
12 **Vote for Appropriations and Finance Committee which includes Treasurer**
13 **Reyes**

14 Councilor Shananaquet self-nominated

15 Councilor Law-self nominated

16 Councilor Bernard self-nominated

17 1st vote: (5) votes –Councilor Shananaquet, (3) Councilor Law, (3) Councilor
18 Bernard

19 2nd vote: (4) Councilor Law, (2) Councilor Bernard

20
21 Motion made by Councilor Law and supported by Secretary Otto to assign
22 Treasurer Reyes, Councilor Shananaquet and Councilor Law to the
23 Appropriations and Finance Committee.

24 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
25 Harrington)

26 Motion carried.

27
28 **Vote for Land and Reservation Committee interests (need 3 Committee**
29 **Members)**

30 Councilor Harrington interested per Councilor Shananaquet

31 Councilor Bernard self-nominated

32 Treasurer Reyes self-nominated

33 Councilor Law self-nominated

34 (5) votes-Councilor Harrington, (5) votes-Treasurer Reyes, (4) votes-Councilor
35 Bernard, (2)-Councilor Law

36
37 Motion made by Councilor Law and supported by Councilor Shananaquet to
38 assign Councilor Harrington, Treasurer Reyes and Councilor Bernard to the Land
39 and Reservation Committee.

40 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
41 Harrington)

42 Motion carried.

43
44 **Vote for Ethics Committee**

45 Councilor Law self-nominated

46 Councilor McNamara Councilor nominated by Councilor Bernard

1 Councilor Shananaquet self-nominated

2
3 Motion made by Treasurer Reyes and supported by Councilor McNamara to
4 assign Councilor Law, Councilor McNamara and Councilor Shananaquet to the
5 Ethics Committee.

6 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
7 Harrington)

8 Motion carried.

9
10 Motion made by Treasurer Reyes and supported by Councilor Shananaquet to
11 approve Tribal Council to attend the meeting with the U.S. Attorney General
12 November 6, 2015 at 911 Spring St. Petoskey MI.

13 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
14 Harrington)

15 Motion carried.

16
17 Motion made by Councilor McNamara and supported by Councilor Shananaquet
18 to approve the 2016 Tribal Council Regular and Work Session/Meeting
19 Schedule.

20 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
21 Harrington)

22 Motion carried.

23
24 Motion made by Councilor McNamara and supported by Councilor Shananaquet
25 to accept the Executive nomination of Albert Colby Jr., for the Liquor and
26 Tobacco Licensing Board, and to set up an interview.

27 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
28 Harrington)

29 Motion carried.

30
31 Made by Councilor Shananaquet and supported Treasurer Reyes to accept the
32 Executive nomination of William A. Denemy for the Liquor and Tobacco
33 Licensing Board, and to set up an interview.

34 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
35 Harrington)

36 Motion carried.

37
38 Motion made by Councilor McNamara and supported my Councilor Law to
39 accept the Executive nomination of Julie Janiskee for the Liquor and Tobacco
40 Licensing Board, and to set up an interview.

41 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
42 Harrington)

43 Motion carried.

1 Motion made by Secretary Otto and supported by Councilor McNamara to accept
2 the Executive nomination of Allie Maldonado for Chief Judge, and set up an
3 interview.

4 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
5 Harrington)

6 Motion carried.

7
8 Motion made by Treasurer Reyes and supported by Councilor Shananaquet to
9 accept the Executive nomination of Sean Cahill for Appellate Justice, and set up
10 an interview.

11 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
12 Harrington)

13 Motion carried.

14
15 Motion made by Councilor McNamara and supported by Councilor Law to accept
16 the Executive nomination of Melissa Laughlin for the Election Board, and set up
17 an interview.

18 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
19 Harrington)

20 Motion carried.

21
22 Motion made by Councilor Law and supported by Councilor McNamara to accept
23 the Executive nomination of Merle Carson for the Election Board, and set up an
24 interview.

25 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
26 Harrington)

27 Motion carried.

28
29 Motion made by Councilor Law and supported by Treasurer Reyes to approve
30 the Senior Financial Analyst Stella Kay as a Tribal Council designee to attend
31 Closed Sessions of the Gaming Enterprise Board in accordance with WOS 2015-
32 009.

33 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
34 Harrington)

35 Motion carried.

36
37 Motion made by Councilor McNamara and supported by Treasurer Reyes to
38 approve the Agreement Between the National Park Service, U.S. Department of
39 the Interior and the Little Traverse Bay Bands of Odawa Indians for the
40 Assumption by the Tribe of Certain Responsibilities pursuant to the National
41 Historic Preservation Act (16 U.S.C. 470) and authorize the Chair to sign it.

42 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
43 Harrington)

44 Motion carried.

1 Motion made by Councilor Shananaquet and supported by Councilor Law to
2 approve General Counsel Bransky Confidential Memo dated 102915-01.

3 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
4 Harrington)

5 Motion carried.

6
7 Motion made by Councilor Law and supported by Treasurer Reyes to authorize
8 Chairperson Bentley to sign the Extension and Continuation of Payment In Lieu
9 of Taxes Agreement between Little Traverse Bay Bands of Odawa Indians and
10 West Traverse Township.

11 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
12 Harrington)

13 Motion carried.

14
15 **Vote for Water Quality Work Group**

16 Secretary Otto self-nominated

17 Councilor Law self-nominated

18
19 Motion made by Councilor Shananaquet and supported by Treasurer Reyes to
20 assign Secretary Otto and Councilor Law to the Water Quality Work Group.

21 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
22 Harrington)

23 Motion carried.

24
25 5:46 p.m. Motion made by Councilor Shananaquet and supported by Treasurer
26 Reyes to adjourn.

27 Vote: 6- Yes, 0- No, 0- Abstained, 2– Absent (Councilor Naganashe, Councilor
28 Harrington)

29 Motion carried.

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32
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34
35 Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-
36 1406 for additional updates and clarifications of these minutes as presented.

37
38 These Minutes have been read and approved as written (or) corrected: (delete
39 either the word “written” or “corrected” as pertains to how the minutes were
40 approved.)

41
42
43
44 _____
Julia A. Shananaquet, Tribal Council Secretary

Date